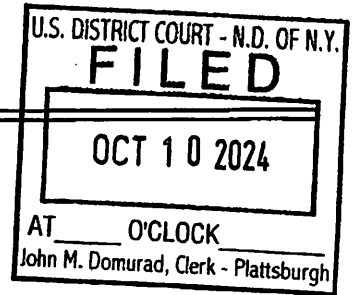


AO 91 (Rev. 11/11) Criminal Complaint



UNITED STATES DISTRICT COURT

for the

Northern District of New York

UNITED STATES OF AMERICA

v.

MD FARIAJ MIRIDHA,

Case No. 8:24-MJ-463 (GLF)

Defendant.

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date(s) of October 6, 2024, in the county of Franklin in the Northern District of New York the defendant violated:

Code Section

8 U.S.C. § 1324(a)(1)(A)(ii), (B)(i)

Offense Description

The Defendant, knowingly and in reckless disregard of the fact that aliens have come to, entered, or remained in the United States in violation of law, did transport, move and attempt to transport and move, such aliens within the United States by means of transportation or otherwise in furtherance of such violation of law, for the purpose of commercial advantage or private financial gain.

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.


 Complainant's signature


U.S. Border Patrol Agent John Hanley

Printed name and title

Attested to by the affiant in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.

Date:

 10/10/24
 GP


 Judge's signature

City and State: Plattsburgh, New York

Hon. Gary L. Favro, U.S. Magistrate Judge

Printed name and title

This criminal complaint is based on these facts:

On or about Saturday, October 5, 2024, Border Patrol Agents (BPA) from the Massena Border Patrol Station (MNB) were operating within the Massena Border Patrol's area of responsibility, specifically, Fort Covington, New York. Over the past two years, BPAs have noted a large number of undocumented immigrants utilizing Fort Covington to further their entrance into the United States. BPAs have apprehended individuals from numerous different countries in Fort Covington recently.

At approximately 9:30pm, Swanton Sector Border Patrol Communications advised that Royal Canadian Mounted Police (RCMP) stated they had observed two individuals walking south towards the international boundary line of the United States and Canada. Unmarked BPAs responded to the area and at approximately 11:15pm, observed a light blue Toyota van bearing NY license plate LNL5304 at the East End gas station in Fort Covington, NY. The East End gas station closes at 10:00 p.m. BPAs know, based on their experience, that the East End gas station has been used previously as a meeting place where individuals pick up illegal aliens and transport them away from the area further into the United States.

Unmarked BPAs observed the Toyota van drive from the gas pumps to a parking spot on the east side of the convenience store then move again to a nearby building approximately 50ft away that is under construction. At this point, an employee of the recently closed gas station notified the unmarked BPAs that he had observed several people get into the Toyota van. The BPAs notified marked units of this activity via service radio, relaying that the Toyota van had picked up several people and was now driving southbound on State Route 37 leaving the area.

At approximately 11:30pm, marked BPAs observed the Toyota van drive past their location and began following it for approximately five miles. During this time, BPAs observed the Toyota van fail to maintain its lane of travel and varying its speed, between approximately 45 and 53 mph. The speed limit on this road is 55 mph. BPAs know, based on their training and experience, that these driving characteristics usually occur when a driver is nervous and focuses more on the law enforcement presence behind them than driving.

At this time, BPAs conducted a vehicle stop on State Route 37 near County Route 4 in Westville, NY. As BPAs approached the vehicle, they observed several individuals laying on the rear floor of the Toyota van, attempting to conceal themselves. The driver, later identified as MIRIDHA, MD Fariaj, stated that he picked up his relative at the gas station after she crossed from Canada.

MIRIDHA stated that he picked up everyone at the gas station. BPAs questioned the six passengers for passports or identification, and none were in possession of documents to be, enter, or remain in the United States. At this time, BPA placed all six subjects and MIRIDHA under arrest and transported them to the Massena Border Patrol Station for further investigation.

At the station, agents conducted interviews and requested record checks. They learned that one of the passengers was MIRIDHA's father and a citizen of Bangladesh. The remaining five passengers stated that they were citizens of India, and they had recently crossed from Canada. Records revealed that MIRIDHA is a citizen of Bangladesh in possession of a valid F1 Student Visa.

During an interview, one of the passengers advised BPAs that as part of the arrangement for him to be transported into the United States, he was to pay the driver \$1,000 upon arrival at their destination. Excluding MIRIDHA's father, three out of the five passengers were in possession of approximately \$2500 or more in Canadian currency and additional, smaller amounts of U.S currency.